

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/784,353
Date Filed: February 23, 2004
Title: METHOD FOR WAGERING
Applicants: Kenneth Miller, et. al.
Group Art Unit: 3714
Confirmation No.: 2325
Examiner: Ryan Hsu

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith patents, publications or other information that may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as an admission that:

- a) a thorough search has been made;
- b) the information cited is, or is considered to be, material to patentability;
- c) no additional material information exists;
- d) Applicant agrees with any statement(s) in the information cited;
- e) any reference is prior art;
- f) any reference has been reviewed;
- g) any reference is analogous art;
- h) the listed publication date of any reference is the date on which the reference was actually first published;
- i) the information cited is enabling or otherwise sufficient for the teachings purportedly proffered thereby.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Applicants reserve the right to establish the patentability of any claim over any of the information provided.

The Examiner is specifically requested not to rely solely on the information submitted by Applicants in this Information Disclosure Statement or in other documents submitted by Applicants.

It is understood that the Examiner will consider information that has been previously considered by the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120 (other than an international application that designated the U.S.), as required by MPEP § 609.02.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98. The items listed on the accompanying PTO Form-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application.

The Examiner is respectfully requested to fully consider the items listed on the enclosed PTO Form-1449, to independently ascertain their teaching, and to initial beside each reference listed. Please return a copy of the initialed citation form to the Applicants' undersigned representative.

FEES

This Information Disclosure Statement ("IDS") is being filed at a time when prosecution is closed or a nominally-final Office Action has been mailed. In the event prosecution is reopened on the filing of a request for continued examination, entry of this IDS is proper pursuant to 37 C.F.R. § 1.97(b)(4), and no fee is due. In the event that prosecution is reopened because of reconsideration by the PTO (*e.g.*, withdrawal of finality of rejection, or reconsideration, vacatur or reversal of any rejection, or for any other reason), entry of this IDS is proper pursuant to 37 C.F.R. § 1.97(c)(2). Upon such entry, please charge the fee due under C.F.R. § 1.17(p) to Deposit Account No. 50-3938.

Respectfully submitted,

Dated: December 28, 2009

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